

DEC 09 2005



Ralph E. Jocke
Patent
&
Trademark Law

FACSIMILE TRANSMISSION COVER SHEET

TRANSMITTING: 3 PAGES (INCLUDING THIS PAGE)

NAME: Mail Stop AF
Art Unit 2876
Commissioner for Patents
U.S. Patent and Trademark Office

FAX NUMBER: (571) 273-8300

DATE: December 9, 2005

SENDER: Ralph E. Jocke, Esq.

FAX NUMBER: (330) 722-6446

PHONE NUMBER: (330) 721-0000

COMMENTS: Please refer to the attached **Notice of Appeal** for Application **10/722,067**.

If you do not receive all pages, contact the sender IMMEDIATELY at the number listed below.

The information contained in this facsimile message is confidential and intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited and will be considered at a tortious interference in our confidential business relationships. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the address below via the U.S. Postal Service. Thank you.

330 • 721 • 0000
MEDINA

330 • 225 • 1669
CLEVELAND

330 • 722 • 6446
FACSIMILE

rej@walkerandjocke.com
E-MAIL

231 South Broadway, Medina, Ohio U.S.A. 44256-2601

RECEIVED
CENTRAL FAX CENTER

DEC 09 2005

Practitioner's Docket No. D-1182 R3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants: Steven Shepley
Application No.: 10/722,067
Filed: November 25, 2003
Title: Cash Dispensing Automated
Banking Machine Diagnostic Method

Confirmation No. 4154
Art Unit 2876
Examiner Thien Le

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. 41.31)

Applicants hereby appeal to the Board from the decision of the Primary Examiner, mailed September 9, 2005, regarding all unallowed claims (including rejected claims 1-22).

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

CERTIFICATION OF TRANSMISSION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.6(d)

FACSIMILE

I hereby certify that, on the date shown below, this correspondence is being transmitted by facsimile to the Patent and Trademark Office at (571) 273-8300.

Date: December 9, 2005


Ralph E. Jocke

(Notice of Appeal from the Primary Examiner to the Board for 10/722,067 page 1 of 2)

12/12/2005 WABDELRI 00000015 090428 10722067
01 FC:1401 500.00 DA

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 41.20(b)(1), the fee for filing the Notice of Appeal is:

Other than a small entity \$500.00

Notice of Appeal fee due \$500.00

3. EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for an extension of time. If any time extension and fee is required, this is a request therefor.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$500.00

TOTAL FEE DUE \$500.00

5. FEE PAYMENT

Charge Account No. 09-0428 (Interbold) the sum of \$500.00

6. FEE DEFICIENCY

If any additional extension and/or fee is required, this is a request therefor and to charge Account No. 09-0428 (Interbold).

If any additional fee for claims is required, charge Account No. 09-0428 (Interbold).



SIGNATURE OF PRACTITIONER

Reg. No. 31,029
Customer No. 28995
Tel. No.: (330) 721-0000

Ralph E. Jocke
WALKER & JOCKE
231 South Broadway
Medina, OH 44256

(Notice of Appeal from the Primary Examiner to the Board for 10/722,067 page 2 of 2)